

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Robert Schmidt,)	
)	
)	
Plaintiff,)	C.A. No.: 7:17-cv-02670-MGL
)	
v.)	
)	
BMW Manufacturing Co., LLC,)	<u>AMENDED ERISA CASE</u>
)	<u>MANAGEMENT ORDER</u>
)	
Defendant.)	
)	
)	

Following entry of the Court's Order lifting the stay, the Court further orders that this case will proceed as follows:

1. **Mediation.** Mediation shall be completed for this case on or before July 16, 2018.
2. **Cross Memoranda.**¹ If the matter is not resolved by mediation, the Parties shall file cross-motions for judgment along with supporting memoranda in support of judgment under Rule 52, Fed. R. Civ. P., by August 16, 2018. Cross memoranda shall be based on the stipulated record, which is comprised of the administrative record and the relevant plan documents.
3. **Joint Stipulation.** The Parties shall file the Joint Stipulation attached to the Specialized Case Management Order (ECF Dkt. No. 7) at the same time as the filing of the Parties' cross-memoranda, by August 16, 2018.
4. **Memoranda in Opposition.** The Parties shall file opposition briefs in response to cross-memoranda by September 17, 2018.
5. **Reply Briefs.** The Parties shall file optional replies to opposition briefs by September 24, 2018. These memoranda should follow the form of Local Rule 7.05. All references in the memoranda shall be to the consecutively-numbered pages of the attachments to the Joint Stipulation.
6. **Hearing.** In its discretion, the Court may order a hearing. However, unless so ordered, the Court will decide the ERISA benefit claim under 29 U.S.C. § 1132(a)(1)(B) upon the record before it without a hearing.

¹ All memoranda should follow the form of Local Rule 7.05. All references in memoranda shall be to the consecutively-numbered page of the attachments to the Joint Stipulation.

7. The procedures set forth in this Order are intended to supersede and replace the requirements generally applicable under Rules 26(a), (d), and (f) of the Federal Rules of Civil Procedure. Furthermore, this Order supersedes any earlier entered scheduling order.

IT IS SO ORDERED.

s/Donald C. Coggins, Jr.

DONALD C. COGGINS, JR.

UNITED STATES DISTRICT JUDGE

May 17, 2018
Spartanburg, South Carolina